

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 SIXTY-NINTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 15, 2007

The House of Representatives convened at 9:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Major John Morris, Chaplain, Minnesota National Guard.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dill	Heidgerken	Lesch	Olin	Slocum
Anderson, B.	Dittrich	Hilstrom	Liebling	Otremba	Smith
Anderson, S.	Dominguez	Hilty	Lieder	Paulsen	Solberg
Anzelc	Doty	Holberg	Lillie	Paymar	Sviggum
Atkins	Eastlund	Hoppe	Loeffler	Pelowski	Swails
Beard	Eken	Hornstein	Madore	Peppin	Thao
Benson	Emmer	Hortman	Magnus	Peterson, A.	Thissen
Berns	Erhardt	Hosch	Mahoney	Peterson, N.	Tillberry
Bigham	Erickson	Howes	Mariani	Peterson, S.	Tingelstad
Bly	Faust	Huntley	Marquart	Poppe	Tschumper
Brod	Finstad	Jaros	Masin	Rukavina	Urdahl
Brown	Fritz	Johnson	McFarlane	Ruth	Wagenius
Brynaert	Gardner	Juhnke	McNamara	Ruud	Walker
Buesgens	Garofalo	Kahn	Moe	Sailer	Ward
Bunn	Gottwalt	Kalin	Morgan	Scalze	Wardlow
Carlson	Greiling	Knuth	Morrow	Seifert	Welti
Clark	Gunther	Koenen	Mullery	Sertich	Westrom
Cornish	Hackbarth	Kohls	Murphy, E.	Severson	Winkler
Davnie	Hamilton	Kranz	Murphy, M.	Shimanski	Wollschlager
Dean	Hansen	Laine	Nelson	Simon	Zellers
Demmer	Hausman	Lanning	Nornes	Simpson	Spk. Kelliher
Dettmer	Haws	Lenczewski	Norton	Slawik	

A quorum was present.

DeLaForest was excused until 10:30 a.m. Olson was excused until 11:50 a.m. Ozment was excused until 12:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Fritz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place H. F. No. 464 on the Fiscal Calendar for Tuesday, May 15, 2007.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

The colors were presented by officers from the Minnesota Law Enforcement Memorial Association Honor Guard and Bill Gilchrist, a piper with the Minnesota Police Pipers, who performed the "Thin Blue Line" in recognition of Police Week beginning May 14, 2007 and Peace Officers Memorial Day on May 15, 2007.

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 413, A bill for an act relating to commerce; regulating franchise agreements between outdoor sport equipment dealers and manufacturers; establishing registration requirements; amending Minnesota Statutes 2006, sections 84.788, by adding a subdivision; 84.798, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 80G.

Reported the same back with the following amendments:

Page 1, delete lines 8 and 9

Page 10, delete article 2

ReNUMBER the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, delete "establishing registration requirements;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1208, A bill for an act relating to state government; changing provisions for construction codes and licensing provisions; providing penalties and enforcement; instructing the revisor to renumber certain statutory sections; appropriating money; amending Minnesota Statutes 2006, sections 16B.04, subdivision 2; 16B.60, subdivisions 4, 7, 8, 11; 16B.61; 16B.615, subdivision 4; 16B.617; 16B.6175; 16B.63; 16B.64, by adding a subdivision; 16B.65; 16B.70; 16B.72; 16B.73; 16B.735; 16B.74, subdivisions 1, 2, by adding subdivisions; 16B.741; 16B.744; 16B.745, subdivisions 1, 4; 16B.747; 16B.748; 16B.76; 31.175; 103I.621, subdivision 3; 144.122; 144.99, subdivision 1; 175.16, subdivision 1; 178.01; 178.02; 178.03, subdivision 3; 178.041, subdivision 1; 183.38; 183.39, subdivision 1; 183.411, subdivision 2; 183.42; 183.45; 183.46; 183.465; 183.466; 183.48; 183.501; 183.505; 183.51; 183.54, subdivisions 1, 3; 183.545, by adding a subdivision; 183.56; 183.57, subdivisions 1, 2, 5, 6; 183.59; 183.60; 183.61, subdivisions 2, 4; 214.01, subdivision 3; 214.04, subdivisions 1, 3; 299F.011, subdivision 1; 325E.37, subdivision 6; 325E.58; 326.01, subdivisions 2, 3, 5, 6, 6a, 6b, 6c, 6e, 6f, 6g, 6j, 6k, 6l, 7, 8, by adding subdivisions; 326.242; 326.243; 326.244, subdivisions 1a, 2, 3, 4, 5, by adding a subdivision; 326.2441; 326.245; 326.248; 326.37; 326.38; 326.39; 326.40; 326.401; 326.405; 326.42; 326.46; 326.461, by adding subdivisions; 326.47; 326.48; 326.50; 326.57, subdivision 1; 326.58; 326.59; 326.60; 326.601; 326.61, subdivisions 1, 2, 3, 4; 326.62; 326.65; 326.83, subdivisions 6, 7, 11, 18, 19, 20; 326.84; 326.841; 326.842; 326.86; 326.87; 326.88; 326.89; 326.90, subdivision 1; 326.91, subdivision 1; 326.92; 326.921; 326.93; 326.94; 326.95, subdivision 2; 326.96; 326.97; 326.975, subdivision 1; 326.992; 327.20, subdivision 1; 327.205; 327.31, subdivisions 2, 3, 4, 7, 15, by adding a subdivision; 327.32, subdivision 8; 327.33, subdivisions 2, 6, 7; 327.34, subdivision 3; 327.35, subdivisions 1, 2; 327A.01, subdivision 2; 327B.01, subdivisions 4, 5, 7, 17, by adding subdivisions; 327B.04, subdivisions 1, 4, 6, 7, 8, by adding a subdivision; 327B.05, subdivision 1; 327B.10; 363A.40, subdivision 1; 462.357, subdivision 6a; 462A.07, subdivision 8; 471.465; 471.466; 471.467; 471.471; proposing coding for new law in Minnesota Statutes, chapters 326; 327B; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2006, sections 16B.665; 16B.747, subdivision 4; 183.001; 183.02; 183.375, subdivisions 1, 2, 3, 4, 5, 6; 183.41, subdivisions 1, 2, 3, 4; 183.44, subdivisions 1, 2, 3; 183.52; 183.54, subdivision 2; 183.545, subdivision 9; 183.61, subdivisions 1, 3, 5, 6; 326.01, subdivisions 4, 6h, 9, 10, 11, 12, 13; 326.241; 326.242, subdivisions 4, 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 10; 326.244, subdivision 6; 326.246; 326.2461; 326.247; 326.40, subdivision 4; 326.41; 326.44; 326.45; 326.47, subdivision 5; 326.51; 326.52; 326.521; 326.64; 326.83, subdivisions 3, 4, 12, 13; 326.85; 326.875; 326.91, subdivisions 2, 3, 4; 326.945; 326.975; 326.98; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 2809.0230; 2891.0010; 2891.0030; 3800.2650; 3800.3580; 3800.3590; 3800.3630; 3800.3750; 3800.3835; 4715.5600; 4715.5900; 4717.7000, subpart 1, item I; 5225.0880; 5225.8600, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9; 5230.0010; 5230.0020; 5230.0040; 5230.0060, subpart 2; 5230.0100, subparts 1, 3, 4.

Reported the same back with the following amendments:

Page 109, line 10, delete "\$90" and insert "\$30"

Page 199, line 8, after "TRANSFER;" insert "APPROPRIATION REDUCTION;"

Page 199, line 12, after the period, insert "If an annual transfer for this purpose is enacted more than once in the 2007 session, the annual transfer is effective only once."

Page 199, after line 12, insert:

"Sec. 2. **APPROPRIATION REDUCTIONS.**

(a) The general fund appropriation to the Commissioner of Labor and Industry is reduced by \$2,800,000 in fiscal year 2008 and \$2,862,000 in fiscal year 2009 and each fiscal year thereafter. If an annual appropriation reduction for this purpose is enacted more than once in the 2007 session, the annual reduction is effective only once.

(b) The state government special revenue fund appropriation to the Commissioner of Labor and Industry is reduced by \$1,874,000 in fiscal year 2008 and \$1,918,000 in fiscal year 2009 and each fiscal year thereafter. If an annual appropriation reduction for this purpose is enacted more than once in the 2007 session, the annual reduction is effective only once."

Page 199, line 14, before "Minnesota" insert "(a)" and delete "16B.747, subdivision 4;"

Page 199, line 22, after "sections" insert "16B.747, subdivision 4;"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after "money;" insert "providing appropriation reductions;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 1940, A bill for an act relating to airports; creating an advisory task force to study airport funding issues and the state airports fund; authorizing agreement relating to Willmar airport; requiring a report; appropriating money.

Reported the same back with the following amendments:

Page 1, line 20, delete "three" and insert "two" and after "senate" insert "tax committee" and delete "Subcommittee on Committees of" and insert "chair of the tax committee"

Page 1, line 21, delete everything before the semicolon

Page 1, line 22, delete "three" and insert "two" and before the comma, insert "tax committee" and after the comma, delete "two" and delete "speaker of" and insert "chair of the tax committee"

Page 1, line 23, delete everything before the period

Page 2, line 2, before "aviation" insert "taxes or"

Page 2, line 3, after the period, insert "The chair of the task force shall be elected by the members appointed by the chairs of the house of representatives and senate tax committees at the first meeting of the task force."

Page 2, line 5, after "organizations" insert "or entities"

Page 2, line 14, delete "and"

Page 2, line 15, delete the period and insert "; and"

Page 2, after line 15, insert:

"(10) municipalities that own or operate airports."

Page 2, line 17, delete everything after the period

Page 2, delete line 18

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 413 and 1208 were read for the second time.

CALENDAR FOR THE DAY

S. F. No. 1495, A bill for an act relating to employment; extending laws governing payroll card accounts; amending Laws 2005, chapter 158, section 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Gunther	Kahn	Masin	Peterson, N.
Anderson, B.	Demmer	Hackbarth	Kalin	McFarlane	Peterson, S.
Anderson, S.	Dettmer	Hamilton	Knuth	McNamara	Poppe
Anzelc	Dill	Hansen	Koenen	Moe	Rukavina
Atkins	Dittrich	Hausman	Kohls	Morgan	Ruth
Beard	Dominguez	Haws	Kranz	Morrow	Ruud
Benson	Doty	Heidgerken	Laine	Mullery	Sailer
Berns	Eastlund	Hilstrom	Lanning	Murphy, E.	Scalze
Bigham	Eken	Hilty	Lenczewski	Murphy, M.	Seifert
Bly	Emmer	Holberg	Lesch	Nelson	Sertich
Brod	Erhardt	Hoppe	Liebling	Nornes	Severson
Brown	Erickson	Hornstein	Lieder	Norton	Shimanski
Brynaert	Faust	Hortman	Lillie	Olin	Simon
Buesgens	Finstad	Hosch	Loeffler	Otremba	Simpson
Bunn	Fritz	Howes	Madore	Paulsen	Slawik
Carlson	Gardner	Huntley	Magnus	Paymar	Slocum
Clark	Garofalo	Jaros	Mahoney	Pelowski	Smith
Cornish	Gottwalt	Johnson	Mariani	Peppin	Solberg
Davnie	Greiling	Juhnke	Marquart	Peterson, A.	Sviggum

Swails
Thao
Thissen

Tillberry
Tingelstad
Tschumper

Urdahl
Wagenius
Walker

Ward
Wardlow
Werti

Westrom
Winkler
Wollschlager

Zellers
Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 1048 was reported to the House.

Hilty moved to amend S. F. No. 1048, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1051, the first engrossment:

"Section 1. Minnesota Statutes 2006, section 3.922, is amended to read:

3.922 INDIAN AFFAIRS COUNCIL.

Subdivision 1. **Creation, membership.** The state Indian Affairs Council is created to consist of the following ~~ex officio~~ members:

~~the governor or a member of the governor's official staff designated by the governor,~~

~~the commissioner of education,~~

~~the commissioner of human services,~~

~~the commissioner of natural resources,~~

~~the commissioner of human rights,~~

~~the commissioner of employment and economic development,~~

~~the commissioner of corrections,~~

~~the commissioner of the Minnesota Housing Finance Agency,~~

~~the commissioner of Iron Range resources and rehabilitation,~~

~~the commissioner of health,~~

~~the commissioner of transportation,~~

~~the commissioner of administration,~~

~~each of whom may designate a staff member to serve instead, and~~

~~three members of the house of representatives appointed by the speaker, and three members of the senate appointed by its Subcommittee on Committees.~~

~~Voting members of the council are the elected tribal chair of:~~

(1) one member of each of the following tribal sovereign nations, designated by the elected tribal president or chairperson of the governing bodies of: the Fond du Lac Reservation Business Committee Band;

the Grand Portage ~~Reservation Business Committee Band;~~

the Mille Lacs ~~Reservation Business Committee Band;~~

the White Earth ~~Reservation Business Committee Band;~~

the Bois Forte (Nett Lake) ~~Reservation Business Committee Band;~~

the Leech Lake ~~Reservation Business Committee Band;~~

the Red Lake ~~Tribal Council Nation;~~

the Upper Sioux ~~board of trustees Community;~~

the Lower Sioux ~~Tribal Council Community;~~

the Shakopee-Mdewankanton ~~General Council Sioux Community;~~

the Prairie Island ~~Tribal Council Mdewakanton Dakota Community; and~~

(2) the directors or commissioners of each tribal agency as designated by the presidents or chairpersons of each band, tribe, or community;

~~two members to be selected under subdivision 2.~~

(3) a member of the governor's official staff designated by the governor;

the commissioner of education;

the commissioner of human services;

the commissioner of natural resources;

the commissioner of human rights;

the commissioner of employment and economic development;

the commissioner of corrections;

the commissioner of the Minnesota Housing Finance Agency;

the commissioner of Iron Range resources and rehabilitation;

the commissioner of health;

the commissioner of transportation;

the commissioner of veterans affairs;

the commissioner of administration, each of whom may designate a staff member to serve instead;

(4) three members of the house of representatives, including one member of the largest minority caucus, appointed by the speaker; and

(5) three members of the senate, including one member of the largest minority caucus, appointed by its Subcommittee on Committees.

~~The chairs of the Indian committees, trusts, or councils may designate in writing a member who has been elected at large to an office in the committee, trust, or council, to serve instead. Members appointed to represent the house of representatives, or the senate or tribal governments shall no longer serve on the council when they are no longer members of the bodies which they represent and their offices shall be vacant. A member who is a designee of a tribal chair president or chairperson shall cease to be a member at the end of the term of the designating tribal chair president or chairperson. Ex officio members or their designees on~~ Only members of the council designated under clause (1) shall not vote.

~~Subd. 2. **Additional members.** Two members of the council shall be elected at large by Indian residents of Minnesota who are legal members and eligible voters of a federally recognized tribe in accordance with the criteria of the tribe and are not members of any federally recognized tribe with a reservation in Minnesota. The election shall be in a manner prescribed by the secretary of state. The manner of election, certification, and contest shall, as far as reasonably possible, be consistent with procedures employed in general elections in the state to ensure a fair election and ready access to the election process by eligible voters. The voting procedure shall include voting by absentee ballot. A person is eligible to serve as an at large member of the council if at the time of the election the person is a qualified voter within the requirements of the Minnesota Constitution, article VII and a member of a federally recognized tribe that does not have a reservation in Minnesota. The election shall be certified and regulated by the secretary of state. Elections shall be held by April 14, 1981, and by every fourth April 14 thereafter. The term of office for at large members is four years commencing on the April 20 following the election and ending at 12:01 a.m., April 20 four years later.~~

~~Subd. 3. **Compensation; expenses.** Compensation of nonlegislator members appointed under subdivision 1, clause (1), is as provided in section 15.059, but, 15.0575. Because the council performs functions that are not purely advisory, the expiration dates provided in that section 15.059 do not apply. Expenses of the council must be approved by two of any three members of the council designated by the council and then be paid in the same manner as other state expenses. The executive secretary chair shall inform the commissioner of finance in writing of the names of the persons authorized to approve expenses.~~

~~Subd. 4. **Meetings.** Meetings may be called by the chair or at the written request of five members of the council. A majority of the voting members of the council is a quorum.~~

~~Subd. 5. **Officers; personnel; authority.** The council shall annually elect a chair and other officers as it may deem necessary. The chair may appoint subcommittees necessary to fulfill the duties of the council. It shall also employ and prescribe the duties of employees and agents as it deems necessary at the direction of elected tribal leaders. The compensation of the executive director of the board council is as provided by section 43A.18. All employees are in the unclassified service. The chair is an ex officio member of the State Board of Human Rights. Appropriations and other funds of the council are subject to chapter 16C. The council may contract in its own name. Contracts must be approved by a majority of the members of the council with the approval of elected tribal leaders and executed by the chair and the executive director. The council may apply for, receive, and spend in its own name, grants and gifts of money consistent with the powers and duties specified in this section. The council shall maintain its primary office in Bemidji. It shall also maintain personnel and office space in St. Paul.~~

Subd. 6. **Duties.** The primary duties of the council are to:

~~(1) clarify for the legislature and state agencies the nature of tribal governments and the relationship of tribal governments to the Indian people of Minnesota;~~

~~(2) assist the secretary of state in establishing an election of at large members of the council;~~

~~(3) (1) analyze and make recommendations to tribal elected leaders and to members of the legislature and the governor on desired and needed legislation to benefit the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian community;~~

~~(4) provide, through the elected apparatus of the council, an effective conduit to the legislature for and information on programs, proposals, and projects submitted by of importance to tribal governments, organizations, committees, groups, or individuals and nontribal Indian organizations;~~

~~(5) provide a continuing dialogue with members of the tribal governments to improve their knowledge of the legislative process, state agencies, and governmental due process;~~

~~(6) (2) assist in establishing Indian advisory councils in cooperation with state agencies that deliver services to the Indian community tribal sovereign nations in Minnesota and the urban Indian communities;~~

~~(7) (3) assist state agencies in defining what groups, organizations, committees, councils, or individuals are eligible for delivery of their respective services;~~

~~(8) (4) assist in providing ensuring the provision of resources, tribal and other, in the delivery of services to the statewide Indian community tribal sovereign nations in Minnesota and the urban Indian communities;~~

~~(9) act as a liaison between local, state, and national units of government in (5) recommend to tribal governments and the state government the means to enhance the delivery of services to the Indian population of members of tribal sovereign nations in Minnesota by local, state, and national units of government;~~

~~(10) (6) assist state agencies in implementing and updating studies of services delivered to the Indian community tribal sovereign nations in Minnesota and urban Indian communities;~~

~~(11) (7) provide, for the benefit of all levels of state government, a continuing liaison between state governmental bodies and elected tribal governments and officials leaders;~~

~~(12) (8) interact with private organizations involved with Indian concerns to people that develop and implement programs to assist Indian people, as they when such programs may affect state agencies and departments;~~

~~(13) act as an intermediary, when requested and if necessary, between Indian interests and state agencies and departments when questions, problems, or conflicts exist or arise;~~

~~(14) provide information for and direction to a program to assist Indian citizens to assume all the rights, privileges, and duties of citizenship, and to coordinate and cooperate with local, state, and national private agencies providing services to the Indian people;~~

~~(15) (9) develop educational programs, community organization programs, leadership development programs, motivational programs, and business development programs for Indian persons who have been, are, or will may be subject to prejudice and discrimination;~~

~~(16) cooperate and consult with appropriate commissioners and agencies to develop plans and programs to most effectively serve the needs of Indians; and~~

~~(17) (10) review data provided by the commissioner of human services under section 260C.215, subdivision 5, and present recommendations to elected tribal leaders on the out-of-home placement of Indian children. Recommendations must be presented to the commissioner and the legislature by February 1, 1990; November 1, 1990; and November 1 of each year thereafter.; and~~

(11) prepare a proposed agenda for the annual summit of elected tribal leaders, legislative leaders and the governor.

Subd. 7. **State officials and departments; cooperation.** In carrying out these objectives and to ascertain ~~Indian~~ the needs of members of tribal sovereign nations in Minnesota and urban Indian community members, the council shall have the right to confer with state officials and other governmental units and have access to records as necessary to obtain needed information. The council also shall have the right to call upon various state departments for technical advice and service as needed to fulfill its purposes.

Subd. 8. **Advisory council board.** An advisory ~~council~~ board on urban Indians shall advise the ~~board~~ council on the unique problems and concerns of Minnesota Indians who reside in urban areas of the state. The ~~council~~ board must be appointed by the ~~board~~ council at the direction of the elected tribal leadership and consist of six Indians residing in the vicinity of Minneapolis, St. Paul, Bemidji, and Duluth. At least one member of the ~~council~~ board must be a resident of each city. The terms, compensation, and removal of members are as provided in section 15.059, but the expiration dates provided in that section do not apply.

Subd. 10. **Rulemaking.** Notwithstanding other law, the council does not have authority to adopt, amend, or repeal rules or to adjudicate contested cases or appeals. Rules adopted before July 1, 2001, may continue in effect until amended or repealed by law."

The motion prevailed and the amendment was adopted.

S. F. No. 1048, A bill for an act relating to state government; changing the state Indian Affairs Council; amending Minnesota Statutes 2006, section 3.922.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Brynaert	Doty	Hansen	Howes	Laine
Anzelc	Bunn	Eken	Hausman	Huntley	Lenczewski
Atkins	Carlson	Erhardt	Haws	Jaros	Lesch
Beard	Clark	Faust	Heidgerken	Johnson	Liebling
Benson	Cornish	Finstad	Hilstrom	Juhnke	Lieder
Berns	Davnie	Fritz	Hilty	Kahn	Lillie
Bigham	Demmer	Gardner	Hoppe	Kalin	Loeffler
Bly	Dill	Greiling	Hornstein	Knuth	Madore
Brod	Dittrich	Gunther	Hortman	Koenen	Magnus
Brown	Dominguez	Hamilton	Hosch	Kranz	Mahoney

Mariani	Murphy, E.	Pelowski	Scalze	Thissen	Welti
Marquart	Murphy, M.	Peterson, A.	Sertich	Tillberry	Westrom
Masin	Nelson	Peterson, N.	Simon	Tingelstad	Winkler
McFarlane	Nornes	Peterson, S.	Slawik	Tschumper	Wollschlager
McNamara	Norton	Poppe	Slocum	Urdahl	Spk. Kelliher
Moe	Olin	Rukavina	Smith	Wagenius	
Morgan	Otremba	Ruth	Solberg	Walker	
Morrow	Paulsen	Ruud	Swails	Ward	
Mullery	Paymar	Sailer	Thao	Wardlow	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Erickson	Holberg	Seifert	Sviggum
Anderson, S.	Dettmer	Garofalo	Kohls	Severson	Zellers
Buesgens	Eastlund	Gottwalt	Lanning	Shimanski	
Dean	Emmer	Hackbarth	Peppin	Simpson	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1333 was reported to the House.

Simon moved to amend S. F. No. 1333, the second engrossment, as follows:

Page 4, line 25, after "more" insert "or to a recreational vehicle as defined in section 168.011, subdivision 25"

The motion prevailed and the amendment was adopted.

Urdahl and Heidgerken moved to amend S. F. No. 1333, the second engrossment, as amended, as follows:

Page 4, line 25, after "more" insert "or to a truck as defined in section 325E.068, subdivision 6, when physical modifications have been requested by the prospective buyer"

The motion prevailed and the amendment was adopted.

The Speaker called Juhnke to the Chair.

Seifert moved to amend S. F. No. 1333, the second engrossment, as amended, as follows:

Pages 4 to 7, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 87 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hackbarth	Lieder	Peterson, A.	Solberg
Anderson, B.	Dittrich	Hamilton	Madore	Peterson, N.	Sviggum
Anderson, S.	Dominguez	Haws	Magnus	Poppe	Swails
Beard	Doty	Heidgerken	Marquart	Rukavina	Tingelstad
Benson	Eastlund	Holberg	McFarlane	Ruth	Urdahl
Berns	Eken	Hoppe	McNamara	Sailer	Walker
Bly	Emmer	Hosch	Moe	Scalze	Ward
Brod	Erhardt	Howes	Morgan	Seifert	Wardlow
Brown	Erickson	Jaros	Morrow	Sertich	Welti
Buesgens	Faust	Juhnke	Nornes	Severson	Westrom
Cornish	Finstad	Kalin	Olin	Shimanski	Wollschlager
Dean	Fritz	Koenen	Otemba	Simpson	Zellers
DeLaForest	Garofalo	Kohls	Paulsen	Slawik	
Demmer	Gottwalt	Kranz	Pelowski	Slocum	
Dettmer	Gunther	Lanning	Peppin	Smith	

Those who voted in the negative were:

Anzelc	Gardner	Huntley	Lillie	Nelson	Tillberry
Atkins	Greiling	Johnson	Loeffler	Norton	Tschumper
Bigham	Hansen	Kahn	Mahoney	Paymar	Wagenius
Brynaert	Hausman	Knuth	Mariani	Peterson, S.	Winkler
Bunn	Hilstrom	Laine	Masin	Ruud	Spk. Kelliher
Carlson	Hilty	Lenczewski	Mullery	Simon	
Clark	Hornstein	Lesch	Murphy, E.	Thao	
Davnie	Hortman	Liebling	Murphy, M.	Thissen	

The motion prevailed and the amendment was adopted.

S. F. No. 1333, A bill for an act relating to commerce; enacting a car buyers' bill of rights; requiring disclosures; regulating the sale of "certified" used motor vehicles; requiring a cancellation option on purchase of a used motor vehicle; amending Minnesota Statutes 2006, sections 53C.01, by adding subdivisions; 53C.08, by adding a subdivision; 325F.662, subdivision 10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 53C.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler	Berns	Brynaert	DeLaForest	Eken	Greiling
Anderson, S.	Bigham	Bunn	Dill	Erhardt	Hansen
Anzelc	Bly	Carlson	Dittrich	Faust	Hausman
Atkins	Brod	Clark	Dominguez	Fritz	Haws
Benson	Brown	Davnie	Doty	Gardner	Heidgerken

Hilstrom	Koenen	Marquart	Otremba	Simon	Wagenius
Hilty	Kranz	Masin	Paulsen	Simpson	Walker
Hornstein	Laine	McFarlane	Paymar	Slawik	Ward
Hortman	Lenczewski	McNamara	Pelowski	Slocum	Wardlow
Hosch	Lesch	Moe	Peterson, A.	Smith	Welti
Howes	Liebling	Morgan	Peterson, S.	Solberg	Winkler
Huntley	Lieder	Morrow	Poppe	Swails	Wollschlager
Jaros	Lillie	Mullery	Rukavina	Thao	Zellers
Johnson	Loeffler	Murphy, E.	Ruth	Thissen	Spk. Kelliher
Juhnke	Madore	Murphy, M.	Ruud	Tillberry	
Kahn	Magnus	Nelson	Sailer	Tingelstad	
Kalin	Mahoney	Norton	Scalze	Tschumper	
Knuth	Mariani	Olin	Sertich	Urdahl	

Those who voted in the negative were:

Anderson, B.	Demmer	Finstad	Hamilton	Nornes	Sviggum
Beard	Dettmer	Garofalo	Holberg	Peppin	Westrom
Buesgens	Eastlund	Gottwalt	Hoppe	Seifert	
Cornish	Emmer	Gunther	Kohls	Severson	
Dean	Erickson	Hackbarth	Lanning	Shimanski	

The bill was passed, as amended, and its title agreed to.

S. F. No. 2226 was reported to the House.

Hilty moved to amend S. F. No. 2226, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1710, the first engrossment:

"Section 1. Minnesota Statutes 2006, section 307.08, is amended to read:

307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS; BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.

Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative intent that all human burials ~~and~~ human ~~skeletal~~ remains, and human burial grounds shall be accorded equal treatment and respect for human dignity without reference to their ethnic origins, cultural backgrounds, or religious affiliations. The provisions of this section shall apply to all human burials ~~or~~ human ~~skeletal~~ remains, or human burial grounds found on or in all public or private lands or waters in Minnesota.

Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and knowingly does any of the following is guilty of a felony:

(1) destroys, mutilates, or injures human burials or human burial grounds; or

(2) without the consent of the appropriate authority, disturbs, human burial grounds or removes human skeletal remains or human burial grounds, is guilty of a felony.

(b) A person who, without the consent of the appropriate authority and the landowner, intentionally, willfully, ~~or~~ and knowingly does any of the following is guilty of a gross misdemeanor:

(1) removes any tombstone, monument, or structure placed in any public or private cemetery or unmarked authenticated human burial ground; or

(2) removes any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits of the a public or private cemetery or authenticated human burial ground; and a person who, without authority from the trustees, state archaeologist, or Indian affairs council; or

(3) discharges any firearms upon or over the grounds of any public or private cemetery or authenticated and identified Indian burial ground, is guilty of a gross misdemeanor.

Subd. 3. **Protective posting.** Every Upon the agreement of the appropriate authority and the landowner, an authenticated and identified or recorded human burial ground may be posted for protective purposes every 75 feet around its perimeter with signs listing the activities prohibited by subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian affairs council in the case of Indian burials or at the discretion of the state archaeologist in the case of non-Indian burials. This subdivision does not require posting of a burial ground. The size, description, location, and information on the signs used for protective posting must be approved by the appropriate authority and the landowner.

Subd. 3a. **Authentication.** The state archaeologist shall authenticate all burial sites grounds for purposes of this section and may enter on property for the purpose of authenticating burial sites. Only after obtaining written permission from the property owner or lessee, descendants of persons buried in burial sites covered by this section may enter the burial sites for the purpose of conducting religious ceremonies. This right of entry must not unreasonably burden property owners or unnecessarily restrict their use of the property. The state archaeologist may retain the services of a qualified professional archaeologist, a qualified physical anthropologist, or other appropriate experts for the purpose of gathering information that the state archaeologist can use to authenticate or identify burial grounds. If probable Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian Affairs Council must approve the professional archaeologist, qualified anthropologist, or other appropriate expert. Authentication is at the discretion of the state archaeologist based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority.

Subd. 4. **State archaeologist.** The state shall retain the services of a qualified professional archaeologist, approved by the state archaeologist and the Indian Affairs Council, for the purpose of gathering information to authenticate or identify Indian burial grounds when requested by a concerned scientific or contemporary Indian ethnic group, when Indian burials are known or suspected to exist on public lands or waters controlled by the state or political subdivision.

Subd. 5. **Cost; use of data.** The cost of authentication, recording, surveying, and marking burial grounds and the cost of identification, marking, and analysis, rescue of unmarked or unidentified burial grounds or burials, and reburial of human remains on public lands or waters shall be the responsibility of the state or political subdivision controlling the lands or waters. The data collected by this activity that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system's geographic and summary databases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by the state.

Subd. 6. **Approval of signs.** The size, description and information on the signs must be approved by the Minnesota State Historical Society.

Subd. 7. **Remains found outside of recorded cemeteries.** All unidentified human remains or burials found outside of ~~platted, recorded, or identified~~ cemeteries or unplatted graves or burials found within recorded cemeteries and in contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of this section. If such burials are not Indian or their ethnic identity cannot be ascertained, as determined by the state archaeologist, they shall be dealt with in accordance with provisions established by the state archaeologist and other appropriate authority. If such burials are Indian, as determined by the state archaeologist, efforts shall be made by the state archaeologist and the Indian Affairs Council to ascertain their tribal identity. If their probable tribal identity can be determined and the remains have been removed from their original context, such remains shall ~~at the discretion of the state archaeologist and Indian Affairs Council~~, be turned over to contemporary tribal leaders for disposition. ~~If it is deemed desirable by the state archaeologist or the Indian Affairs Council, such remains shall be studied by a qualified professional archaeologist before being delivered to the tribal leaders.~~ If tribal identity cannot be determined, the Indian remains must be dealt with in accordance with provisions established by the state archaeologist and the Indian Affairs Council if they are from public land. If removed Indian remains are from private land they shall be dealt with in accordance with provisions established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed remains shall be studied in a timely and respectful manner by a qualified professional archaeologist or a qualified physical anthropologist before being delivered to tribal leaders or before being reburied. Application by a landowner for permission to develop or disturb nonburial areas within authenticated or recorded burial grounds shall be made to the state archaeologist and other appropriate authority in the case of non-Indian burials and to the Indian Affairs Council and other appropriate authority in the case of Indian burials. Landowners with authenticated or suspected human burial grounds on their property are obligated to inform prospective buyers of the burial ground.

Subd. 8. **Burial ground relocation.** No non-Indian burial ground may be relocated without the consent of the appropriate authority. No authenticated and identified Indian burial ground may be relocated unless the request to relocate is approved by the Indian Affairs Council. When the Indian a burial ground is located on public lands or waters, any burial relocations must be duly licensed under section 138.36 and the cost of removal is the responsibility of and shall be paid by the state or political subdivision controlling the lands or waters. If large Indian burial grounds are involved authenticated on private lands, efforts shall may be made by the state to purchase and protect them instead of removing them to another location.

Subd. 9. **Interagency cooperation.** The Department of Natural Resources, the Department of Transportation, and all other state agencies and local governmental units whose activities may be affected, shall cooperate with the state archaeologist and the Indian Affairs Council to carry out the provisions of this section.

Subd. 10. **Construction and development plan review.** When ~~Indian human~~ Indian human burials are known or suspected to exist, on public lands or waters, the state or political subdivision controlling the lands or waters or, in the case of private lands, the landowner or developer, shall submit construction and development plans to the state archaeologist ~~and the Indian Affairs Council~~ for review prior to the time bids are advertised and prior to any disturbance within the burial area. If the known or suspected burials are thought to be Indian, plans shall also be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs Council shall ~~promptly~~ review the plans within 30 days of receipt and make recommendations for the preservation in place or removal of the human burials or remains, which may be endangered by construction or development activities.

Subd. 11. **Burial sites data.** Burial sites locational and related data maintained by the Office of the State Archaeologist and accessible through the office's "Unplatted Burial Sites and Earthworks in Minnesota" Web site are security information for purposes of section 13.37. Persons who gain access to the data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.

Subd. 12. **Right of entry.** The state archaeologist may enter on property for the purpose of authenticating burial sites. Only after obtaining permission from the property owner or lessee, descendants of persons buried in burial grounds covered by this section may enter the burial grounds for the purpose of conducting religious or commemorative ceremonies. This right of entry must not unreasonably burden property owners or unnecessarily restrict their use of the property.

Subd. 13. **Definitions.** As used in this section, the following terms have the meanings given.

(a) "Abandoned cemetery" means a cemetery where the cemetery association has disbanded or the cemetery is neglected and contains marked graves older than 50 years.

(b) "Appropriate authority" means:

(1) the trustees when the trustees have been legally defined to administer burial grounds;

(2) the Indian Affairs Council in the case of Indian burial grounds lacking trustees;

(3) the county board in the case of abandoned cemeteries under section 306.243; and

(4) the state archaeologist in the case of non-Indian burial grounds lacking trustees or not officially defined as abandoned.

(c) "Artifacts" means natural or artificial articles, objects, implements, or other items of archaeological interest.

(d) "Authenticate" means to establish the presence of or high potential of human burials or human skeletal remains being located in a discrete area, delimit the boundaries of human burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation of individuals interred.

(e) "Burial" means the organic remnants of the human body that were intentionally interred as part of a mortuary process.

(f) "Burial ground" means a discrete location that is known to contain or has high potential to contain human remains based on physical evidence, historical records, or reliable informant accounts.

(g) "Cemetery" means a discrete location that is known to contain or intended to be used for the interment of human remains.

(h) "Disturb" means any activity that significantly harms the physical integrity or setting of a human burial or human burial ground.

(i) "Grave goods" means objects or artifacts directly associated with human burials or human burial grounds that were placed as part of a mortuary ritual at the time of interment.

(j) "Human remains" means the calcified portion of the human body, not including isolated teeth, or cremated remains deposited in a container or discrete feature.

(k) "Identification" means to analyze organic materials to attempt to determine if they represent human remains and to attempt to establish the ethnic, cultural, or religious affiliations of such remains.

(l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker in place or a legible sign identifying an area as a burial ground or cemetery.

(m) "Qualified physical anthropologist" means a specialist in identifying human remains who holds an advanced degree in anthropology or a closely related field.

(n) "Qualified professional archaeologist" means an archaeologist who meets the United States Secretary of the Interior's professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

(o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county recorder's office.

(p) "State" or "the state" means the state of Minnesota or an agency or official of the state acting in an official capacity.

(q) "Trustees" means the recognized representatives of the original incorporators, board of directors, or cemetery association."

The motion prevailed and the amendment was adopted.

S. F. No. 2226, A bill for an act relating to state government; clarifying private cemeteries; amending Minnesota Statutes 2006, section 307.08.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anzelc	Eken	Jaros	Madore	Otremba	Thao
Atkins	Faust	Johnson	Mahoney	Paymar	Thissen
Benson	Fritz	Juhnke	Mariani	Pelowski	Tillberry
Bigham	Gardner	Kahn	Marquart	Peterson, A.	Tschumper
Bly	Greiling	Kalin	Masin	Poppe	Wagenius
Brown	Hansen	Knuth	McFarlane	Rukavina	Walker
Brynaert	Hausman	Koenen	Moe	Ruth	Ward
Bunn	Haws	Kranz	Morgan	Ruud	Welti
Carlson	Hilstrom	Laine	Morrow	Sailer	Winkler
Clark	Hilty	Lenczewski	Mullery	Scalze	Spk. Kelliher
Davnie	Hornstein	Lesch	Murphy, E.	Sertich	
Dill	Hortman	Liebling	Murphy, M.	Simon	
Dittrich	Hosch	Lieder	Nelson	Slawik	
Dominguez	Howes	Lillie	Norton	Slocum	
Doty	Huntley	Loeffler	Olin	Solberg	

Those who voted in the negative were:

Abeler	Brod	Demmer	Erickson	Hackbarth	Kohls
Anderson, B.	Buesgens	Dettmer	Finstad	Hamilton	Lanning
Anderson, S.	Cornish	Eastlund	Garofalo	Heidgerken	Magnus
Beard	Dean	Emmer	Gottwalt	Holberg	McNamara
Berns	DeLaForest	Erhardt	Gunther	Hoppe	Nornes

Olson	Peterson, N.	Severson	Smith	Urdahl	Zellers
Paulsen	Peterson, S.	Shimanski	Sviggum	Wardlow	
Peppin	Seifert	Simpson	Tingelstad	Westrom	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1019, A bill for an act relating to utilities; making technical change relating to ex parte rules of Public Utilities Commission; amending Minnesota Statutes 2006, section 216A.037, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Haws	Lenczewski	Norton	Simpson
Anderson, B.	Dill	Heidgerken	Lesch	Olin	Slawik
Anderson, S.	Dittrich	Hilstrom	Liebling	Olson	Slocum
Anzels	Dominguez	Hilty	Lieder	Otremba	Smith
Atkins	Doty	Holberg	Lillie	Paulsen	Solberg
Beard	Eastlund	Hoppe	Loeffler	Paymar	Sviggum
Benson	Eken	Hornstein	Madore	Pelowski	Swails
Berns	Emmer	Hortman	Magnus	Peppin	Thao
Bigham	Erhardt	Hosch	Mahoney	Peterson, A.	Thissen
Bly	Erickson	Howes	Mariani	Peterson, N.	Tillberry
Brod	Faust	Huntley	Marquart	Peterson, S.	Tingelstad
Brown	Finstad	Jaros	Masin	Poppe	Tschumper
Brynaert	Fritz	Johnson	McFarlane	Rukavina	Urdahl
Buesgens	Gardner	Juhnke	McNamara	Ruth	Wagenius
Bunn	Garofalo	Kahn	Moe	Ruud	Walker
Carlson	Gottwalt	Kalin	Morgan	Sailer	Ward
Clark	Greiling	Knuth	Morrow	Scalze	Wardlow
Cornish	Gunther	Koenen	Mullery	Seifert	Welti
Davnie	Hackbarth	Kohls	Murphy, E.	Sertich	Westrom
Dean	Hamilton	Kranz	Murphy, M.	Severson	Winkler
DeLaForest	Hansen	Laine	Nelson	Shimanski	Zellers
Demmer	Hausman	Lanning	Nornes	Simon	Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 69 was reported to the House.

Atkins moved to amend S. F. No. 69, the first engrossment, as follows:

Page 2, after line 14, insert:

"EFFECTIVE DATE; APPLICATION. This section is effective August 1, 2007, and applies to gift certificates issued or sold on or after that date."

The motion prevailed and the amendment was adopted.

S. F. No. 69, A bill for an act relating to commerce; prohibiting expiration dates and service fees on gift certificates and gift cards; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler	Dominguez	Howes	Madore	Otremba	Smith
Anzelc	Doty	Huntley	Mahoney	Paymar	Solberg
Atkins	Eken	Jaros	Mariani	Pelowski	Swails
Benson	Erhardt	Johnson	Marquart	Peterson, A.	Thao
Bigham	Faust	Juhnke	Masin	Peterson, N.	Thissen
Bly	Fritz	Kalin	McFarlane	Peterson, S.	Tillberry
Brod	Gardner	Knuth	McNamara	Poppe	Tschumper
Brown	Greiling	Koenen	Moe	Rukavina	Wagenius
Brynaert	Hansen	Kranz	Morgan	Ruth	Walker
Bunn	Hausman	Laine	Morrow	Ruud	Ward
Carlson	Haws	Lenczewski	Mullery	Sailer	Welti
Clark	Hilstrom	Lesch	Murphy, E.	Scalze	Westrom
Cornish	Hilty	Liebling	Murphy, M.	Sertich	Winkler
Davnie	Hornstein	Lieder	Nelson	Simon	Wollschlager
Dill	Hortman	Lillie	Norton	Slawik	Spk. Kelliher
Dittrich	Hosch	Loeffler	Olin	Slocum	

Those who voted in the negative were:

Anderson, B.	Demmer	Gottwalt	Kohls	Seifert	Wardlow
Anderson, S.	Dettmer	Gunther	Lanning	Severson	Zellers
Beard	Eastlund	Hackbarth	Magnus	Shimanski	
Berns	Emmer	Hamilton	Nornes	Simpson	
Buesgens	Erickson	Heidgerken	Olson	Sviggum	
Dean	Finstad	Holberg	Paulsen	Tingelstad	
DeLaForest	Garofalo	Hoppe	Peppin	Urdahl	

The bill was passed, as amended, and its title agreed to.

S. F. No. 184 was reported to the House.

Buesgens moved to amend S. F. No. 184, the second engrossment, as follows:

Page 2, line 10, delete "work" and insert "have a discussion"

The motion did not prevail and the amendment was not adopted.

Gottwalt moved to amend S. F. No. 184, the second engrossment, as follows:

Page 2, delete section 3

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gottwalt amendment and the roll was called. There were 120 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hansen	Lanning	Nornes	Simon
Anderson, B.	Dettmer	Hausman	Lenczewski	Olin	Simpson
Anderson, S.	Dill	Haws	Lesch	Olson	Slawik
Anzalc	Dittrich	Heidgerken	Liebling	Otremba	Slocum
Atkins	Doty	Hilstrom	Lieder	Paulsen	Smith
Beard	Eastlund	Hilty	Lillie	Paymar	Solberg
Benson	Eken	Holberg	Loeffler	Pelowski	Sviggum
Berns	Emmer	Hoppe	Madore	Peppin	Swails
Bigham	Erhardt	Hortman	Magnus	Peterson, A.	Tillberry
Bly	Erickson	Hosch	Mahoney	Peterson, N.	Tschumper
Brod	Faust	Howes	Marquart	Peterson, S.	Urdahl
Brown	Finstad	Huntley	Masin	Poppe	Wagenius
Brynaert	Fritz	Johnson	McFarlane	Ruth	Ward
Buesgens	Gardner	Juhnke	McNamara	Ruud	Wardlow
Bunn	Garofalo	Kahn	Moe	Sailer	Welti
Carlson	Gottwalt	Kalin	Morgan	Scalze	Westrom
Cornish	Greiling	Koenen	Morrow	Seifert	Winkler
Davnie	Gunther	Kohls	Mullery	Sertich	Wollschlager
Dean	Hackbarth	Kranz	Murphy, M.	Severson	Zellers
DeLaForest	Hamilton	Laine	Nelson	Shimanski	Spk. Kelliher

Those who voted in the negative were:

Clark	Hornstein	Knuth	Murphy, E.	Rukavina	Thissen
Dominguez	Jaros	Mariani	Norton	Thao	Walker

The motion prevailed and the amendment was adopted.

Brod moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"

Page 1, line 15, after the period, insert:

"In addition, if the patient is under 18 years of age, the registered nurse may not dispense oral contraceptives until at least 48 hours after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 54 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Finstad	Hoppe	Olin	Simpson
Anderson, B.	DeLaForest	Fritz	Hosch	Olson	Smith
Anderson, S.	Demmer	Garofalo	Howes	Otremba	Sviggum
Beard	Dettmer	Gottwalt	Kohls	Paulsen	Tingelstad
Berns	Dittrich	Gunther	Lanning	Peppin	Urdahl
Brod	Doty	Hackbarth	Magnus	Ruth	Ward
Buesgens	Eastlund	Hamilton	Marquart	Seifert	Wardlow
Bunn	Emmer	Heidgerken	McNamara	Severson	Westrom
Cornish	Erickson	Holberg	Nornes	Shimanski	Zellers

Those who voted in the negative were:

Anzelc	Faust	Kahn	Mariani	Peterson, N.	Thissen
Atkins	Gardner	Kalin	Masin	Peterson, S.	Tillberry
Benson	Greiling	Knuth	McFarlane	Poppe	Tschumper
Bigham	Hansen	Koenen	Moe	Rukavina	Wagenius
Bly	Hausman	Kranz	Morgan	Ruud	Walker
Brown	Haws	Laine	Morrow	Sailer	Welti
Brynaert	Hilstrom	Lenczewski	Mullery	Scalze	Winkler
Carlson	Hilty	Lesch	Murphy, E.	Sertich	Wollschlager
Clark	Hornstein	Liebling	Murphy, M.	Simon	Spk. Kelliher
Davnie	Hortman	Lieder	Nelson	Slawik	
Dill	Huntley	Lillie	Norton	Slocum	
Dominguez	Jaros	Loeffler	Paymar	Solberg	
Eken	Johnson	Madore	Pelowski	Swails	
Erhardt	Juhnke	Mahoney	Peterson, A.	Thao	

The motion did not prevail and the amendment was not adopted.

Peppin moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"

Page 1, line 15, after the period, insert:

"In addition, if the patient is under 16 years of age, the registered nurse may not dispense oral contraceptives until at least 48 hours after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 57 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Garofalo	Koenen	Otremba	Sviggum
Anderson, B.	Demmer	Gottwalt	Kohls	Ozment	Tingelstad
Anderson, S.	Dettmer	Gunther	Lanning	Paulsen	Urdahl
Beard	Dittrich	Hackbarth	Magnus	Peppin	Ward
Berns	Doty	Hamilton	Marquart	Ruth	Wardlow
Brod	Eastlund	Heidgerken	McFarlane	Seifert	Westrom
Buesgens	Emmer	Holberg	McNamara	Severson	Zellers
Bunn	Erickson	Hoppe	Nornes	Shimanski	
Cornish	Finstad	Hosch	Olin	Simpson	
Dean	Fritz	Howes	Olson	Smith	

Those who voted in the negative were:

Anzelc	Dill	Hilstrom	Knuth	Mahoney	Paymar
Atkins	Dominguez	Hilty	Kranz	Mariani	Pelowski
Benson	Eken	Hornstein	Laine	Masin	Peterson, A.
Bigham	Erhardt	Hortman	Lenczewski	Moe	Peterson, N.
Bly	Faust	Huntley	Lesch	Morgan	Peterson, S.
Brown	Gardner	Jaros	Liebling	Morrow	Poppe
Brynaert	Greiling	Johnson	Lieder	Mullery	Rukavina
Carlson	Hansen	Juhnke	Lillie	Murphy, E.	Ruud
Clark	Hausman	Kahn	Loeffler	Murphy, M.	Sailer
Davnie	Haws	Kalin	Madore	Nelson	Scalze

Sertich	Slocum	Thao	Tschumper	Welti	Spk. Kelliher
Simon	Solberg	Thissen	Wagenius	Winkler	
Slawik	Swails	Tillberry	Walker	Wollschlager	

The motion did not prevail and the amendment was not adopted.

Brod moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"

Page 1, line 15, after the period, insert:

"In addition, if the patient is under 12 years of age, the registered nurse may not dispense oral contraceptives until after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Gottwalt	Kranz	Otremba	Sviggum
Anderson, B.	Dettmer	Gunther	Lanning	Ozment	Swails
Anderson, S.	Dill	Hackbarth	Lenczewski	Paulsen	Tingelstad
Beard	Dittrich	Hamilton	Magnus	Peppin	Urdahl
Berns	Doty	Haws	Marquart	Peterson, N.	Ward
Brod	Eastlund	Heidgerken	McFarlane	Ruth	Wardlow
Buesgens	Eken	Holberg	McNamara	Sailer	Welti
Bunn	Emmer	Hoppe	Morgan	Seifert	Westrom
Carlson	Erickson	Hosch	Morrow	Sertich	Zellers
Cornish	Faust	Howes	Murphy, M.	Severson	
Davnie	Finstad	Kalin	Nornes	Shimanski	
Dean	Fritz	Koenen	Olin	Simpson	
DeLaForest	Garofalo	Kohls	Olson	Smith	

Those who voted in the negative were:

Anzelc	Gardner	Johnson	Madore	Peterson, A.	Thao
Atkins	Greiling	Juhnke	Mahoney	Peterson, S.	Thissen
Benson	Hansen	Kahn	Mariani	Poppe	Tillberry
Bigham	Hausman	Knuth	Masin	Rukavina	Tschumper
Bly	Hilstrom	Laine	Moe	Ruud	Wagenius
Brown	Hilty	Lesch	Mullery	Scalze	Walker
Brynaert	Hornstein	Liebling	Murphy, E.	Simon	Winkler
Clark	Hortman	Lieder	Nelson	Slawik	Wollschlager
Dominguez	Huntley	Lillie	Paymar	Slocum	Spk. Kelliher
Erhardt	Jaros	Loeffler	Pelowski	Solberg	

The motion prevailed and the amendment was adopted.

Dean moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 2, line 4, delete "nonprofit community health"

Page 2, line 5, delete "as defined in section 145.925"

A roll call was requested and properly seconded.

The question was taken on the Dean amendment and the roll was called. There were 59 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Gottwalt	Juhnke	Otremba	Solberg
Anderson, B.	Dettmer	Gunther	Koenen	Ozment	Sviggum
Anderson, S.	Dittrich	Hackbarth	Kohls	Paulsen	Thao
Beard	Eastlund	Hamilton	Lanning	Peppin	Tingelstad
Berns	Eken	Haws	Magnus	Ruth	Urdahl
Brod	Emmer	Heidgerken	McFarlane	Seifert	Ward
Buesgens	Erickson	Holberg	McNamara	Severson	Wardlow
Cornish	Finstad	Hoppe	Nornes	Shimanski	Westrom
Dean	Fritz	Hosch	Olin	Simpson	Zellers
DeLaForest	Garofalo	Howes	Olson	Smith	

Those who voted in the negative were:

Anzelc	Davnie	Hilstrom	Kranz	Marquart	Paymar
Atkins	Dill	Hilty	Lenczewski	Masin	Pelowski
Benson	Dominguez	Hornstein	Lesch	Moe	Peterson, A.
Bigham	Doty	Hortman	Liebling	Morgan	Peterson, N.
Bly	Erhardt	Huntley	Lieder	Morrow	Peterson, S.
Brown	Faust	Jaros	Lillie	Mullery	Poppe
Brynaert	Gardner	Johnson	Loeffler	Murphy, E.	Rukavina
Bunn	Greiling	Kahn	Madore	Murphy, M.	Ruud
Carlson	Hansen	Kalin	Mahoney	Nelson	Sailer
Clark	Hausman	Knuth	Mariani	Norton	Scalze

Sertich	Slocum	Tillberry	Walker	Wollschlager
Simon	Swails	Tschumper	Welti	Spk. Kelliher
Slawik	Thissen	Wagenius	Winkler	

The motion did not prevail and the amendment was not adopted.

Kohls moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Pages 1 and 2, delete section 2

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 51 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Demmer	Gottwalt	Howes	Ozment	Sviggum
Anderson, S.	Dettmer	Gunther	Koenen	Paulsen	Tingelstad
Beard	Dittrich	Hackbarth	Kohls	Peppin	Urdahl
Berns	Eastlund	Hamilton	Lanning	Ruth	Wardlow
Brod	Emmer	Haws	Magnus	Seifert	Westrom
Buesgens	Erickson	Heidgerken	McFarlane	Severson	Zellers
Cornish	Finstad	Holberg	Nornes	Shimanski	
Dean	Fritz	Hoppe	Olson	Simpson	
DeLaForest	Garofalo	Hosch	Otremba	Smith	

Those who voted in the negative were:

Abeler	Doty	Johnson	Mahoney	Paymar	Solberg
Anzelc	Eken	Juhnke	Mariani	Pelowski	Swails
Atkins	Erhardt	Kahn	Marquart	Peterson, A.	Thao
Benson	Faust	Kalin	Masin	Peterson, N.	Thissen
Bigham	Gardner	Knuth	McNamara	Peterson, S.	Tillberry
Bly	Greiling	Kranz	Moe	Poppe	Tschumper
Brown	Hansen	Laine	Morgan	Rukavina	Wagenius
Brynaert	Hausman	Lenczewski	Morrow	Ruud	Walker
Bunn	Hilstrom	Lesch	Mullery	Sailer	Ward
Carlson	Hilty	Liebling	Murphy, E.	Scalze	Welti
Clark	Hornstein	Lieder	Murphy, M.	Sertich	Winkler
Davnie	Hortman	Lillie	Nelson	Simon	Wollschlager
Dill	Huntley	Loeffler	Norton	Slawik	Spk. Kelliher
Dominguez	Jaros	Madore	Olin	Slocum	

The motion did not prevail and the amendment was not adopted.

Seifert moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 15, after the period, insert "The above family planning agencies may not provide taxpayer-funded abortions."

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 68 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Gunther	Kranz	Ozment	Thao
Anderson, B.	Dittrich	Hackbarth	Lanning	Paulsen	Tillberry
Anderson, S.	Doty	Hamilton	Lenczewski	Peppin	Tingelstad
Beard	Eastlund	Haws	Lieder	Peterson, N.	Urdahl
Berns	Eken	Heidgerken	Magnus	Ruth	Ward
Brod	Emmer	Holberg	Marquart	Seifert	Wardlow
Buesgens	Erickson	Hoppe	McFarlane	Severson	Westrom
Cornish	Faust	Hosch	McNamara	Shimanski	Zellers
Dean	Finstad	Howes	Nornes	Simpson	
DeLaForest	Fritz	Juhnke	Olin	Smith	
Demmer	Garofalo	Koenen	Olson	Solberg	
Dettmer	Gottwalt	Kohls	Otremba	Sviggum	

Those who voted in the negative were:

Anzenc	Dominguez	Jaros	Mahoney	Paymar	Slawik
Atkins	Erhardt	Johnson	Mariani	Pelowski	Slocum
Benson	Gardner	Kahn	Masin	Peterson, A.	Swails
Bigham	Greiling	Kalin	Moe	Peterson, S.	Thissen
Bly	Hansen	Knuth	Morgan	Poppe	Tschumper
Brown	Hausman	Laine	Morrow	Rukavina	Wagenius
Brynaert	Hilstrom	Lesch	Mullery	Ruud	Walker
Bunn	Hilty	Liebling	Murphy, E.	Sailer	Welti
Carlson	Hornstein	Lillie	Murphy, M.	Scalze	Winkler
Clark	Hortman	Loeffler	Nelson	Sertich	Wollschlager
Davnie	Huntley	Madore	Norton	Simon	Spk. Kelliher

The motion prevailed and the amendment was adopted.

S. F. No. 184, A bill for an act relating to health; authorizing registered nurses to dispense oral contraceptives in family planning clinics; expanding the definition of a governmental unit; providing for adjustment of medical assistance reimbursement rates for family planning clinics; amending Minnesota Statutes 2006, sections 148.235, by adding a subdivision; 471.59, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Haws	Lesch	Olin	Slawik
Anderson, B.	Dill	Heidgerken	Liebling	Olson	Slocum
Anderson, S.	Dittrich	Hilstrom	Lieder	Ozment	Smith
Anzelc	Dominguez	Hilty	Lillie	Paulsen	Solberg
Atkins	Doty	Holberg	Loeffler	Paymar	Sviggum
Beard	Eastlund	Hoppe	Madore	Pelowski	Swails
Benson	Eken	Hornstein	Magnus	Peppin	Thao
Berns	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Bigham	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Bly	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Brod	Faust	Huntley	Masin	Poppe	Urdahl
Brown	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Brynaert	Fritz	Johnson	McNamara	Ruth	Walker
Buesgens	Gardner	Juhnke	Moe	Ruud	Ward
Bunn	Garofalo	Kahn	Morgan	Sailer	Wardlow
Carlson	Gottwalt	Kalin	Morrow	Scalze	Welti
Clark	Greiling	Knuth	Mullery	Seifert	Westrom
Cornish	Gunther	Kohls	Murphy, E.	Sertich	Winkler
Davnie	Hackbarth	Kranz	Murphy, M.	Severson	Wollschlager
Dean	Hamilton	Laine	Nelson	Shimanski	Zellers
DeLaForest	Hansen	Lanning	Nornes	Simon	Spk. Kelliher
Demmer	Hausman	Lenczewski	Norton	Simpson	

Those who voted in the negative were:

Koenen	Otremba	Thissen
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The bill was passed, as amended, and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abeler and Walker introduced:

H. F. No. 2486, A bill for an act relating to insurance; requiring prior approval of evidence-based underwriting standards based upon life insurance applicants having received mental health care; amending Minnesota Statutes 2006, section 72A.20, subdivision 19.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Solberg introduced:

H. F. No. 2487, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature; authorizing the issuance of general obligation bonds; appropriating money for the city of McGregor to reroute treated water discharge.

The bill was read for the first time and referred to the Committee on Finance.

Westrom, Nornes, Heidgerken and Marquart introduced:

H. F. No. 2488, A bill for an act relating to education finance; authorizing a grant for Independent School District No. 264, Herman-Norcross; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Mullery; Doty; Marquart; Carlson; Ward; Brown; Tschumper; Anzelc; Murphy, E.; Faust; Kalin and Sailer introduced:

H. F. No. 2489, A bill for an act relating to human services; providing attorney fees for invalid medical assistance liens; amending Minnesota Statutes 2006, section 256B.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

MOTIONS AND RESOLUTIONS

Rukavina moved that the name of Murphy, M., be added as an author on H. F. No. 122. The motion prevailed.

Loeffler moved that the name of Peterson, S., be added as an author on H. F. No. 2472. The motion prevailed.

Ruud moved that H. F. No. 1077 be recalled from the Committee on Commerce and Labor and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Dill moved that S. F. No. 1753 be recalled from the Committee on Taxes and be re-referred to the Committee on Ways and Means. The motion prevailed.

Solberg moved that H. F. No. 1978, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, May 16, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Juhnke declared the House stands adjourned until 9:00 a.m., Wednesday, May 16, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives